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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,149	11/27/2001	Jarrett E. Archer	RIC00007	9925
25537 7590 02/06/2007 VERIZON PATENT MANAGEMENT GROUP 1515 N. COURTHOUSE ROAD SUITE 500 ARLINGTON, VA 22201-2909			EXAMINER HO, CHUONG T	
			ART UNIT	PAPER NUMBER
			2616	
SHORTENED STATUTORY PERIOD OF RESPONSE		NOTIFICATION DATE	DELIVERY MODE	
3 MONTHS		02/06/2007	ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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Office Action Summary

Application No.

09/995,149

Applicant(s)

ARCHER ET AL.

Examiner

CHUONG T. HO

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Pre-Appeal 12/19/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

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1. The pre-appeal conference request filed 12/19/06 have been entered and made of record.
2. Applicant's arguments with respect to claims 26-28, 29-34, 35-39, 40-44, 45-50, 51-54 have been considered but are moot in view of the new ground(s) of rejection.
3. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.
4. Claims 26-28, 29-34, 35-39, 40-44, 45-50, 51-54 are pending.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 26-28, 29-34, 35-39, 40-43, 45-50, 51-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ong et al. (U.S. Patent No. 6,795,430 B1) in view of Abel et al. (U.S. Patent No. 6,950,426 B2).

Regarding to claim 26, see figure 1, Ong et al. disclose encapsulating the content portion and the signaling portion of the communication via the first network access device (figure 1, session invitation protocol (SIP) gateway 124), to provide a plurality of respective content packets and signaling packet (see col. 3, lines 5-10, a QSIG message can be encapsulated in a SIP message, so that the SIP message portion is

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used to control the voice packet characteristics while the QSIG portion (or an encapsulated proprietary portion) is used to access supplementary services logic and control the voice supplementary service) ;

Transmitting the signaling packets from the first network access device (figure 1, SIP 124) to a control component (figure 1, router 146) via a data network (figure 1, network 180) (see col. 4, lines 7-8, the SIP gateway 124 provides session initiation to handle session messages corresponding to voice communication. The SIP supports a number of session messages such as a call initiation);

Establishing, via the control component (figure 1, router 146, router 126), a connection within the data network (figure 1, network 180) between the first network access device (figure 1, SIP 124) and a second network access device (figure 1, SIP 144) in response to receiving the signaling packet (see col. 5, lines 1-20, setting up a call has completely);

However, Ong et al. are silent to disclosing receiving, via the first network access device, a communication comprising a content portion and a signaling portion in accordance with a QSIG access protocol;

Abel et al. disclose receiving, via the first network access device (figure 1, UE-A, UE-B), a communication comprising a content portion (user information) and a signaling portion (signaling information) in accordance with a QSIG (see col.1, lines 35 – 38, QSIG protocol) access protocol (see col. 2, lines 1-5, lines 12-20);

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Communicating the content packets (figure 2, col. 5, lines 53-55, a user data) from the first network access device (figure 1, UE-A) to the second network access device (UE-B) over the establish connection (figure 2, ND-V connection, col. 5, lines 53-60).

Both Ong, Abel discloses a data network configured to communicate packets of information intermediate an originating location and a terminating location. Abel et al. recognize receiving, via the first network access device, a communication comprising a content portion and a signaling portion in accordance with a QSIG access protocol. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Ong with the teaching of Abel to provide receiving, via the first network access device, a communication comprising a content portion and a signaling portion in accordance with a QSIG access protocol in order to support private branch exchanges via a packet oriented communication network.

7. Regarding to claim 27, Ong et al. discloses the establishing comprises configuring the first network access device (SIP 124) and the second network access device (SIP 146) using the control component (router 146, router 126) to establish the connection via the data network (see figure 1, col. 3, lines 1-10).

8. In the claim 28, Abel et al. discloses comprising mapping (see col. 5, lines 1-7, converted) the signaling portion from an QSIG access protocol to another signaling protocol, and communicating the signaling portion to the second access device after the mapping (see col. 5, lines 1-7).

9. In the claim 29, see figure 1, Ong et al. disclose encapsulating the QSIG content portion and the QSIG signaling portion of the communication via the first network

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access device (figure 1, SIP gateway 124) to provide a plurality of respective content packets and signaling packet (see col. 3, lines 5-10, a QSIG message can be encapsulated in a SIP message, so that the SIP message portion is used to control the voice packet characteristics while the QSIG portion (or an encapsulated proprietary portion) is used to access supplementary services logic and control the voice supplementary service) ;

sending the signaling packets from the first network access device (figure 1, SIP gateway 124, SIP gateway 144) to a control component (figure 1, router 126, router 146) through a first D channel via a data network (figure 1, network 180) (see col. 4, lines 7-8, the SIP gateway 124 provides session initiation to handle session messages corresponding to voice communication. The SIP supports a number of session messages such as a call initiation); Establishing, via a second D channel from the control component (UE-A, UE-B) to a second network access device (PBX-B) , a B channel connection within the data network between the first network access device (PBX-A) and the second network access device (PBX-B) (see col. 5, lines 1-7); Establishing, via a second D channel from the control component (router 126, router 146) to a second network access device (SIP gateway 146) , a B channel connection within the data network between the first network access device (SIP 124) and the second network access device (SIP 146) (see col. 5, lines 1-7);

However, Ong et al. are silent to disclosing receiving a communication comprising a QSIG content portion and a QSIG signaling portion.

Abel et al. disclose receiving a communication comprising a QSIG content portion (user information) and a QSIG signaling portion (signaling information) (see col.1, lines 35 – 38, QSIG protocol) access protocol (see col. 2, lines 1-5, lines 12-20); Communicating the content packets (user information) from the first network access device (UE-A) to the second network access device (UE-B) over the established B channel connection (ND-V) (see col. 5, lines 53-60).

Both Ong, Abel discloses a data network configured to communicate packets of information intermediate an originating location and a terminating location. Abel et al. recognize receiving, via the first network access device, a communication comprising a content portion and a signaling portion in accordance with a QSIG access protocol. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Ong with the teaching of Abel to provide receiving, via the first network access device, a communication comprising a content portion and a signaling portion in accordance with a QSIG access protocol in order to support private branch exchanges via a packet oriented communication network.

10. In the claim 30, Abel et al. discloses the first and second D channels are implemented as virtual circuits (see col. 2, lines 50-60).

11. In the claim 31, Abel et al. disclose the B channel is implemented as a virtual circuit (see col. 2, lines 50 - 60).

12. In the claim 32, Ong et al. disclose the received communication is transmitted from a first PBX switch (see col. 3, lines 60-67, col. 4, lines 1-5).

13. In the claim 33, Ong et al. disclose the second network access device (SIP 144) transmits the content packet to a second PBX switch (PBX 140) (see col. 3, lines 60-67, col. 4, lines 1-5).

14. In the claim 34, Abel et al. disclose the QSIG content portion and a QSIG signaling portion are continuous signal (see figures 1, 2, col. 3, lines 1-7, lines 53-60).

15. In the claim 35, see figure 1, Ong et al. disclose receiving a signaling packet including QSIG signaling information (see col. 3, lines 5-10, a QSIG message can be encapsulated in a SIP message, so that the SIP message portion is used to control the voice packet characteristics while the QSIG portion (or an encapsulated proprietary portion) is used to access supplementary services logic and control the voice supplementary service) ;

However, Ong et al. are silent to disclosing establishing a bearer channel connection between a first network access device and a second network access device in response to receiving the signal packet.

Abel et al. disclose establishing a bearer channel connection between a first network access device (PBX-A) and a second network access device (PBX-B) in response to receiving the signal packet (see col. 5, lines 1-20, setting up a call has completely);

Both Ong, Abel discloses a data network configured to communicate packets of information intermediate an originating location and a terminating location. Abel et al. recognize establishing a bearer channel connection between a first network access device and a second network access device in response to receiving the signal packet.

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Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Ong with the teaching of Abel to provide establishing a bearer channel connection between a first network access device and a second network access device in response to receiving the signal packet in order to support private branch exchanges via a packet oriented communication network.

16. In the claim 36, Ong et al. discloses the received signal packet is transmitted from a first network device (see figures 1, SIP gateway 144)to a control component (see figures 1, 2, router 126, router 146) (see figure 1, col. 5, lines 1-7).

17. In the claim 37, Ong et al. discloses the control component establishes the bearer channel connection between the first network access device (the SIP 124) and the second network access device (the SIP 144) (see figures 1, 2, col. 5, lines 1-7).

18. In the claim 38, Abel discloses transmitting content packets between the first network access device (UE-A) and the second network access device (UE-B)(see figure 1, 2, col. 5, lines 53-60).

19. In the claim 39, Abel et al. disclose mapping the received QSIG signaling information to another protocol prior to establishing the bearer channel (see col. 5, lines 1-7).

20. In the claim 40, see figure 1, Ong et al. disclose encapsulating the content portion and the signaling portion of the communication via the first network access device (figure 1, session invitation protocol (SIP) gateway 124), to provide a plurality of respective content packets and signaling packet (see col. 3, lines 5-10, a QSIG message can be encapsulated in a SIP message, so that the SIP message portion is

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used to control the voice packet characteristics while the QSIG portion (or an encapsulated proprietary portion) is used to access supplementary services logic and control the voice supplementary service) ;

Transmitting the signaling packets from the first network access device (figure 1, SIP 124) to a control component (figure 1, router 146) via a data network (figure 1, network 180) (see col. 4, lines 7-8, the SIP gateway 124 provides session initiation to handle session messages corresponding to voice communication. The SIP supports a number of session messages such as a call initiation);

Establishing, via the control component (figure 1, router 146, router 126), a connection within the data network (figure 1, network 180) between the first network access device (figure 1, SIP 124) and a second network access device (figure 1, SIP 144) in response to receiving the signaling packet (see col. 5, lines 1-20, setting up a call has completely);

However, Ong et al. are silent to disclosing receiving, via the first network access device, a communication comprising a content portion and a signaling portion in accordance with a QSIG access protocol;

Abel et al. disclose receiving, via the first network access device (figure 1, UE-A, UE-B), a communication comprising a content portion (user information) and a signaling portion (signaling information) in accordance with a QSIG (see col.1, lines 35 – 38, QSIG protocol) access protocol (see col. 2, lines 1-5, lines 12-20);

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Communicating the content packets (figure 2, col. 5, lines 53-55, a user data) from the first network access device (figure 1, UE-A) to the second network access device (UE-B) over the establish connection (figure 2, ND-V connection, col. 5, lines 53-60).

Both Ong, Abel discloses a data network configured to communicate packets of information intermediate an originating location and a terminating location. Abel et al. recognize receiving, via the first network access device, a communication comprising a content portion and a signaling portion in accordance with a QSIG access protocol. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Ong with the teaching of Abel to provide receiving, via the first network access device, a communication comprising a content portion and a signaling portion in accordance with a QSIG access protocol in order to support private branch exchanges via a packet oriented communication network.

21. In the claim 41, Ong et al. disclose the network access device (SIP 124) receives the QSIG communication from a PBX switch (see figure 1, col. 3, lines 1-10).

22. In the claim 42, Abel discloses establishing a bearer channel connection between the first network access device and the second network access device (see figure 1, figure 2, col. 3, lines 1-20).

23. In the claim 43, Abel discloses transmitting the content packet from the first network access device (figure 1, UE-A) to the second network access device (figure 1, UE-B) (see col. 3, lines 53-60).

24. In the claim 45, see figure 1, Ong et al. disclose encapsulating the content portion and the signaling portion of the communication via the first network access

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device (figure 1, session invitation protocol (SIP) gateway 124), to provide a plurality of respective content packets and signaling packet (see col. 3, lines 5-10, a QSIG message can be encapsulated in a SIP message, so that the SIP message portion is used to control the voice packet characteristics while the QSIG portion (or an encapsulated proprietary portion) is used to access supplementary services logic and control the voice supplementary service) ;

Transmitting the signaling packets from the first network access device (figure 1, SIP 124) to a control component (figure 1, router 146) via a data network (figure 1, network 180) (see col. 4, lines 7-8, the SIP gateway 124 provides session initiation to handle session messages corresponding to voice communication. The SIP supports a number of session messages such as a call initiation);

Establishing, via the control component (figure 1, router 146, router 126), a connection within the data network (figure 1, network 180) between the first network access device (figure 1, SIP 124) and a second network access device (figure 1, SIP 144) in response to receiving the signaling packet (see col. 5, lines 1-20, setting up a call has completely);

However, Ong et al. are silent to disclosing receiving, via the first network access device, a communication comprising a content portion and a signaling portion in accordance with a QSIG access protocol;

Abel et al. disclose receiving, via the first network access device (figure 1, UE-A, UE-B), a communication comprising a content portion (user information) and a signaling

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portion (signaling information) in accordance with a QSIG (see col.1, lines 35 – 38, QSIG protocol) access protocol (see col. 2, lines 1-5, lines 12-20);

Communicating the content packets (figure 2, col. 5, lines 53-55, a user data) from the first network access device (figure 1, UE-A) to the second network access device (UE-B) over the establish connection (figure 2, ND-V connection, col. 5, lines 53-60).

Both Ong, Abel discloses a data network configured to communicate packets of information intermediate an originating location and a terminating location. Abel et al. recognize receiving, via the first network access device, a communication comprising a content portion and a signaling portion in accordance with a QSIG access protocol. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Ong with the teaching of Abel to provide receiving, via the first network access device, a communication comprising a content portion and a signaling portion in accordance with a QSIG access protocol in order to support private branch exchanges via a packet oriented communication network.

25. In the claim 46, Ong et al. when transmitting the signal packets, the network access device (SIP 124) is configured to transmit the signal packets to a control component (router 146) via a data network (network 180) (see figure 1, col. 3, lines 1-10).

26. In the claim 47, Abel discloses the communication channel is established through the data network (see figures 1, 2).

27. In the claim 48, Ong et al. discloses the network access device (SIP 124) is configured to transmit the content packets to the second network access device (SIP 144) (see figure 1, col. 3, lines 1-10).

28. In the claim 49, Abel et al. discloses the received signal portion and the received content portion are continuous signal (see col. 3, lines 1-7, lines 53-60).

29. In the claim 50, Abel et al. disclose the network access device (UE-A, UE-B) receives the QSIG signal from a PBX switch (see figure 1, col. 3, lines 1-7, lines 53-60).

30. In the claim 51, see figure 1, Ong et al. disclose encapsulating the content portion and the signaling portion of the communication via the first network access device (figure 1, session invitation protocol (SIP) gateway 124), to provide a plurality of respective content packets and signaling packet (see col. 3, lines 5-10, a QSIG message can be encapsulated in a SIP message, so that the SIP message portion is used to control the voice packet characteristics while the QSIG portion (or an encapsulated proprietary portion) is used to access supplementary services logic and control the voice supplementary service) ;

Transmitting the signaling packets from the first network access device (figure 1, SIP 124) to a control component (figure 1, router 146) via a data network (figure 1, network 180) (see col. 4, lines 7-8, the SIP gateway 124 provides session initiation to handle session messages corresponding to voice communication. The SIP supports a number of session messages such as a call initiation);

Establishing, via the control component (figure 1, router 146, router 126), a connection within the data network (figure 1, network 180) between the first network access device

(figure 1, SIP 124) and a second network access device (figure 1, SIP 144) in response to receiving the signaling packet (see col. 5, lines 1-20, setting up a call has completely);

However, Ong et al. are silent to disclosing receiving, via the first network access device, a communication comprising a content portion and a signaling portion in accordance with a QSIG access protocol;

Abel et al. disclose receiving, via the first network access device (figure 1, UE-A, UE-B), a communication comprising a content portion (user information) and a signaling portion (signaling information) in accordance with a QSIG (see col.1, lines 35 – 38, QSIG protocol) access protocol (see col. 2, lines 1-5, lines 12-20);

Communicating the content packets (figure 2, col. 5, lines 53-55, a user data) from the first network access device (figure 1, UE-A) to the second network access device (UE-B) over the establish connection (figure 2, ND-V connection, col. 5, lines 53-60).

Both Ong, Abel discloses a data network configured to communicate packets of information intermediate an originating location and a terminating location. Abel et al. recognize receiving, via the first network access device, a communication comprising a content portion and a signaling portion in accordance with a QSIG access protocol. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Ong with the teaching of Abel to provide receiving, via the first network access device, a communication comprising a content portion and a signaling portion in accordance with a QSIG access protocol in order to support private branch exchanges via a packet oriented communication network.

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31. In the claim 52, Ong et al. discloses the control component (router 126, router 146) receives the signal packet from the first network access device (SIP 124, SIP 144) (see col. 3, lines 1-10).

32. In the claim 53, Abel et al. discloses map (see col. 5, lines 1-7, conversion) received signal packet to another protocol for transmission to the second network access device.

33. In the claim 54, Ong et al. discloses return the bearer channel to an idle state (call termination) after transmission of content packets from the first network access device to the second network access device (see col. 4, lines 7-12).

Claim Rejections - 35 USC § 103

34. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

35. Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combined system (Ong – Abel) in view of Lampa (US 2003/0016681 A1).

In the claim 44, the combined system (Ong – Abel) discloses the limitations of claim 40 above.

However, the combined system (Ong – Abel) is silent to disclosing the second network access device is a non-QSIG device.

Lampa discloses the second network access device is a non-QSIG device (see figure 1).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined system (Ong – Abel) with the teaching of Lampa to provide the second network access device is a non-QSIG device in order to transport of the QSIG signaling over the PSTN is accomplished by enveloping QSIG messages with ISUP (ISDN User part) messages.

Conclusion

36. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHUONG T. HO whose telephone number is (571) 272-3133. The examiner can normally be reached on 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, appearing to read 'Huy D. Vu', with a long horizontal line extending to the right.

HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600